

## **REMARKS**

The Office Action mailed December 20, 2005 has been carefully reviewed along with the references cited therein. In the Office Action, the Examiner objected to the specification because neither the specification nor the drawings show or explain in detail how the lateral walls shield the LED. The Examiner rejected claims 1-4, 6, 7, 9-12 and 15-16 under 35 U.S.C. § 103(a) as being unpatentable over Zhang (U.S. Publication No. 2002/0136025) in view of Grenga et al. (U.S. Patent No. 5,394,317). Claims 5 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhang in view of English et al. (U.S. Publication No. 2003/0063476). Claims 21-22, 24 and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhang in view of Johnson (U.S. Patent No. 6,862,091). Claim 28 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhang in view of Drews (U.S. Patent No. 3,803,401). Claims 29-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhang in view of McCullough et al. (U.S. Publication No. 2004/0252502).

To avoid the time and expense involved with an appeal to the Board or a Pre-Appeal Conference, Applicant respectfully requests that the Examiner consider the following arguments. There is a clear deficiency in the prima facie case in support of each rejection. With regard to the obviousness rejections, the Examiner's proposed combinations do not teach or suggest each limitation of the claim that is rejected. Since this response is in response to a final Office action, the claims of the application have not been amended.

As for the specification, Applicant has deleted claim 9 without prejudice, and those claims that depend from claim 9. Claim 9 recited that "the lateral walls act as a shield." Since this is no longer claimed, Applicant believes this to remedy the Examiner's objection to the specification.

With regard to claim 1, the Examiner has failed to establish a prima facie case for obviousness. "The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done." MPEP 2142. This must be done, however, putting aside the knowledge of Applicant's disclosure. When rejecting claim 1, the Examiner has argued "[i]t would have been obvious for one of ordinary skill in the art to combine the use of facets as disclosed by Grenga et al. with the device of Zhang in order to individually place them so that the light shines out through the device, while avoiding the

center support, in order to reduce heat and reflect light out through the system.” Neither Grenga et al. nor Zhang describe at least one facet being individually aimed so that light reflected from the reflector forms a desired beam pattern while avoiding striking the support structure in order to reduce heat. This suggestion, i.e. to reduce heat, appears to have been taken from paragraph [0023] of Applicant’s disclosure, which is impermissible.

Moreover with regard to claim 1, it recites “the at least one facet is individually aimed so that light reflected from said reflector forms a desired beam pattern while avoiding striking said support structure.” Even if Grenga et al. disclose the use of facets, they do not teach or suggest the claim limitation that the facet is individually aimed so that light reflected from said reflector forms a desired beam pattern while avoiding striking said support structure. Accordingly, the Examiner has failed to establish a prima facie case for obviousness. In view of the above, claim 1, and those claims that depend from claim 1, patentably define over the cited references.

With regard to claim 21, the Examiner has also failed to establish a prima facie case for obviousness. The examiner must provide some suggestion of the desirability of doing what the inventor has done, and this must be done putting aside the knowledge of Applicant’s disclosure. When rejecting claim 21, the Examiner has argued “[i]t would have been obvious for one of ordinary skill in the art to combine the reflector of Johnson with the device of Zhang in order to reflect light out of the device by reflecting it to either side of the bridge.” Applicants admit that one of ordinary skill in the art would use a reflector “to reflect light out of the device.” But, the Examiner has simply paraphrased claim 21 as his suggestion of the desirability of doing what the inventor has done. In doing this, the Examiner has used Applicant’s disclosure to provide the requisite suggestion of doing what the inventor has done. This is not allowed.

Moreover with regard to claim 21, Zhang properly combined with Johnson still fail to teach or suggest all the limitations of claim 21. Neither Zhang nor Johnson teach or suggest the reflector being shaped such that light striking the reflector directly behind the bridge is directed to either side of the bridge. Johnson teaches an elliptical reflector 12 (col. 10, line 31) in FIG. 1 and a faceted reflector 140 in FIG. 21 that “has the same general form as the elliptical reflector of FIG. 1.” (Col. 19, lines 9-10). These elliptical reflectors “concentrate emitted radiation rays 24 (shown as a ray trace) from the radiation source lamp 14 onto the reflector’s focal point 26.” (Col. 10, line 38-40). The reflector in Johnson

would not direct light striking the reflector directly behind the bridge to either side of the bridge. Instead, some light that strikes the elliptical reflector of Johnson directly behind the bridge would contact the bridge. Accordingly, the Examiner's combination fails to teach or suggest all the claim limitations of claim 21. In view of the above, claim 21, and those claims that depend from claim 21, define over the cited references.

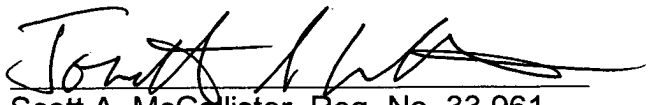
As for claim 28, the Examiner argues that "[i]t would have been obvious for one of ordinary skill in the art to combine the M-shaped contour of Drews with the lighting device of Zhang in order to provide a reflector that improves dispersion of the light out of the system." The M-shaped reflector in Drews "is to be specifically applied to a multiple lamp unit and particularly where an even number of lamps are employed." (Col. 2, lines 57-59). One of ordinary skill in the art would not combine the lighting device of Zhang, which in each embodiment discloses a single light source, with a teaching of a reflector for multiple fluorescent lights. Accordingly, claim 28 further defines over the cited references.

### **CONCLUSION**

For the reasons detailed above, it is respectfully submitted all claims remaining in the application are now in condition for allowance. Accordingly, an early indication of the same is earnestly solicited. In any event, should the Examiner consider personal contact advantageous to the disposition of this case, he is encouraged to telephone the undersigned at the number listed below.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP



Scott A. McCollister, Reg. No. 33,961  
Jonathan A. Withrow, Reg. No. 54,548  
1100 Superior Avenue, Seventh Floor  
Cleveland, OH 44114-2579  
216-861-5582

March 20, 2006  
Date

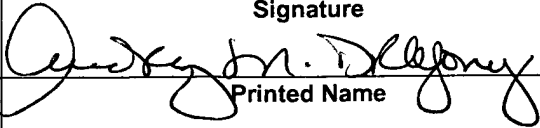
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